

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USVALDO CONTRERA, FRANCISCO LOPEZ,
PEDRO BATISTA, FABIAN HERRERA and
ANTONIO REYES, *individually, and on behalf of*
all others similarly situated,

Plaintiffs,

**Docket No.: 16-CV-3851
(LTS)(GWG)**

-against-

IRVING LANGER, et al.,

Defendants.

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**NOTICE OF MOTION FOR PRELIMINARY APPROVAL
OF THE SETTLEMENT AND APPROVAL OF PROPOSED NOTICE OF
SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE**

For the reasons set forth in the enclosed Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of the Settlement, and Approval of Proposed Notice of Settlement and Class Action Settlement Procedure, and the enclosed Declarations of Marc A. Rapaport ("Rapaport Declaration"), Peter Winebrake and Meredith R. Miller, and the exhibits thereto, Plaintiffs, on consent of Defendants, respectfully request that the Court:

1. grant preliminary approval of the Joint Stipulation of Settlement and Release ("Settlement Agreement") attached as Exhibit 1 to the Rapaport Declaration;
2. for settlement purposes, conditionally certify the settlement class pursuant FRCP 23(a) and 23(b)(3);
3. appoint Marc A. Rapaport (Rapaport Law Firm, PLLC), Meredith R. Miller (Miller Law, PLLC), and Peter Winebrake (Winebrake & Santillo, LLC) as Class Counsel;
4. approve the form Notices of Settlement with attached Claim or Address Forms, the Summary Class Notice and Reminder Postcard, which are attached to the Settlement Agreement as Exhibits D-1, D-2, D-3 and E; and

5. appoint Settlement Services, Inc. as the Claims Administrator (“Administrator”) for the Settlement Agreement.

Dated: January 22, 2020

Respectfully submitted,

MILLER LAW, PLLC
RAPAPORT LAW FIRM, PLLC
WINEBRAKE & SANTILLO LLC

By:

/s/ Meredith R. Miller

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